

Message Text

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10

ACTION L-03

INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 PM-04 H-02

INR-07 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 EB-07 COME-00 OMB-01 TRSE-00 JUSE-00 /067 W

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R 301305Z APR 76

FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC 3256

INFO AMCONSUL LENINGRAD

LIMITED OFFICIAL USE MOSCOW 6772

FOR L/PM

E.O. 11652: N/A

TAGS: PFOR, PGOV, UR

SUBJ: FOREIGN LAWS ON QUESTIONABLE PAYMENTS

REF: (A) STATE 094647, (B) 75 STATE 258169, (C) 75 MOSCOW
15742

1. ANSWERS TO QUESTIONS IN REF A FOLLOW:

A. YES. SEE PAR. 2, BELOW.

B. N/A. QUESTION AS PHRASED IS NOT APPLICABLE TO
CENTRALIZED STATE-OPERATED SOVIET ECONOMY SINCE IT PRE-
SUPPOSES EXISTENCE OF A DOMESTIC PRIVATE SECTOR OF THE
ECONOMY INVOLVED IN CONTRACTUAL FINANCIAL TRANSACTIONS
WITH GOVERNMENT AGENCIES.

C. YES. NON-SOVIET NATIONALS ACTING AS "AGENTS" IN
TRANSACTIONS BETWEEN FOREIGN FIRMS AND THE SOVIET
GOVERNMENT ARE -- AT LEAST IN THEORY -- SUBJECT TO THE
SAME CRIMINAL SANCTIONS AS THOSE APPLYING TO SOVIET OFFICIALS
GUILTY OF OFFERING OR ACCEPTING BRIBES. (IN PRACTICE, SOME
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FOREIGN COMMERCIAL REPRESENTATIVES SO CHARGED WERE SUMMARILY

EXPELLED FROM THE SOVIET UNION). SOVIET NATIONALS ARE PRECLUDED FROM ACTING AS INDEPENDENT "AGENTS" IN DEALING WITH SOVIET STATE ENTERPRISES OR AGENCIES OF GOVERNMENT BECAUSE UNDER SOVIET LAW THEY CANNOT LEGALLY TAKE ANY ROLE IN ANY FOREIGN TRADE TRANSACTION EXCEPT AS EMPLOYEES OF THE SOVIET STATE TRADING SYSTEM.

D. N/A. QUESTION AS PHRASED IS NOT APPLIABLE TO USSR.

E. N/A. SAME AS ABOVE.

F. N/A. SAME AS ABOVE.

2. ARTICLES 173 (RECEIPT OF BRIBE) AND 174 (OFFER OF BRIBE; ROLE OF INTERMEDIARIES IN OFFERING OR ACCEPTING BRIBES) OF RSFSR CRIMINAL CODE, APPROVED BY RSFSR SUPREME SOVIET ON JULY 25, 1962, CATEGORIZE BRIBERY AS A DANGEROUS CRIME PUNISHABLE BY IMPRISONMENT OF UP TO 15 YEARS, CONFISCATION OF PROPERTY, AND EXILE. IN ADDITION, RECEIPT OF BRIBE BY A HIGH OFFICIAL UNDER PARTICULARLY AGGRAVATING CIRCUMSTANCES IS PUNISHABLE BY DEATH.
STOESSEL

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CABINET, BRIBERY, COMMITTEES, BUSINESS FIRMS, FOREIGN INVESTMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 30 APR 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976MOSCOW06772
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760166-0802
From: MOSCOW
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t1976043/aaaaabzm.tel
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Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 STATE 94647, 76 STATE 258169
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 06 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <06 MAY 2004 by CollinP0>; APPROVED <02 SEP 2004 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

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